



United States Environmental Protection Agency – Region 2  
Emergency & Remedial Response Division  
Removal Action Branch



May18, 2010

Cindy Pepin  
Business Development & Marketing Coordinator  
91 North State Street, Suite 202  
Concord, NH 03301

Dear Ms. Pepin,

On February 10, 2010 you made a formal "Initial Determination" request to the United States Environmental Protection Agency (U.S. EPA) for the New England Waste Services of N.Y., Inc. 286 Sand Road Morrisonville, NY 12962 landfill. The purpose of this request was to identify the facility's capability to receive and dispose of CERCLA Off Site waste, as that term is defined at 40 C.F.R Section 300.440(a) of the Off-Site Rule.

This office has reviewed your application and has made the following determination:

The 286 Sand Road Morrisonville, NY 12962 landfill also known as the (Casella) Clinton County Landfill, shall be determined as "Acceptable" to receive "Non-Hazardous" CERCLA Off-Site waste.

The determination was made in conjunction with the New York State Department of Environmental Conservation (NYSDEC) acting as the delegated authority for the U.S. EPA in Region 2 regarding disposal facility compliance inspections and enforcement in New York State. NYSDEC identified that (Casella) Clinton County Landfill is operating as a valid permitted sanitary landfill authorized to accept all municipal solid waste as defined in 6NYCRR Part 360-1.2(b)(106). In addition it was found that (Casella) Clinton County Landfill is operating in compliance with no outstanding violations and/or pending enforcement actions that would impact upon the facility's ability to accept and dispose of any waste it is currently permitted to receive.

Please note this "Initial Determination" does not serve as an all encompassing authorization for (Casella) Clinton County Landfill to receive CERCLA Off-Site waste. The facility must maintain continued compliance



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with all relevant local, state and federal regulations in order to remain eligible to receive CERCLA Off-Site waste.

If you have questions regarding this determination and/or any other Off-Site Rule related topics please feel free to contact me or Mr. Colin "Mark" Oldland (oldland.colin@epa.gov) of my staff who is the designated Regional Off-Site Rule Coordinator.

Sincerely,

Mark P. Pane  
US EPA  
Removal Action Branch  
Removal Support Team  
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Edison, NJ 08837-3679  
732-906-6872  
Pane.mark@epa.gov

cc: David Pleasant, NYSDEC Region 5, Solid and Hazardous Materials Engineer

Philip Flax, U.S. EPA Region 2, RCRA, Lead Environmental Scientist